

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
OCTOBER 12, 2010
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Councilmember Natarajan led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison, and Chan.

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council approved the minutes for the Regular Meeting of September 28, 2010

Ayes:	Mayor Wasserman Councilmembers: Natarajan, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	Vice Mayor Wieckowski

- * **2.3 Mayor Wasserman opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Rezoning Properties Located at 43116 Mission Boulevard and 111 Telles Lane from Single Family Residence R-1-20, Historic Overlay District (HOD), Hillside Combining District (H-I) and Single Family Residence R-1-20**

*Consent Items

(HOD)(H-I) Floodway (F-W) to Single Family Residence R-1-10(HOD)(H-I) and Single Family Residence R-1-20 (HOD)(H-I)(F-W)

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council adopted Ordinance No. 17-2010.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of a Continuance of a Public Hearing (Published Notice) to Consider a Resolution to Collect Development Impact Fees at 50% of their Full Amounts in the Midtown District within the Central Business District until December 31, 2013 and to Provide Direction to Staff on the Selection of Street Furniture for the Midtown District**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council continued item to a date to be determined and directed the City Clerk to republish the appropriate public hearing notice.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.5 Mayor Wasserman opened consideration to Approve Plans and Specifications and Award a Construction Contract in the Amount of \$108,500 for the Bay Street Sign, City Project No. 8509C (PWC)**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Approved the Plans and Specifications for the Bay Street Sign Project, City Project No. 8509C (PWC).
2. Accepted the bid and awarded the construction contract for Bay Street Sign, 8509C (PWC) to the lowest responsible bidder, Young Electric Sign Company, Inc. (YESCO), in the amount of \$108,500 and authorized the City Manager or his designee to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.6 Mayor Wasserman opened consideration of Determination that Expenditure of Redevelopment Agency Housing Funds Outside Redevelopment Agency Project Areas will Benefit such Project Areas**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council adopted Resolution No. 2010-58 finding that the expenditure of Redevelopment Agency Housing Funds outside the Redevelopment Project Areas will benefit the Redevelopment Project Areas.

Ayes:	Mayor Wasserman, Vice Mayor Wieckowski, Councilmembers: Natarajan, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications – None.

5. SCHEDULED ITEMS

5.1 Mayor Wasserman opened consideration of Continuation of Public Hearing (Published Notice) to Consider the Planning Commission’s Recommendation of a General Plan Amendment For a 3.7-Acre Portion of a 5.5-acre Site From Private Open Space to Low Density Residential, 3 to 5 Dwelling Units Per Acre, and Rezoning From O-S, Open Space, to R-1-6 (H-I), Single-family Residence District (Hillside Combining District), in conjunction with a Planned Unit Development, Vesting Tentative Tract Map 8042, a Preliminary Grading Plan and Private Street For 16 Home Lots (Continued from September 28, 2010)

Associate Planner Clifford Nguyen provided an overview of the project. Staff responded to questions from Councilmembers. Mayor Wasserman opened the public hearing. Adam Tennant (applicant’s agent) presented the applicant’s reasons for granting the project. Mr. Tennant, Monsignor Manuel Simas, and Robert Seelig responded to questions from Councilmembers. Jon Lonsdale, Paul Sethy and William Schuster expressed opposition to the project. There were no other speakers. Mr. Tennant provided rebuttal comments. Another question and answer period followed with the applicant and Councilmembers. Mayor Wasserman closed the public hearing. Staff responded to questions from Councilmembers. Councilmembers provided comment.

On a motion by Vice Mayor Wieckowski, seconded by Councilmember Chan, the City Council:

1. Held public hearing.

2. Adopted the Mitigated Negative Declaration and Mitigation Monitoring Program, as shown in Exhibit "A" and found this action reflects the independent judgment of the City of Fremont.
3. Found that the General Plan Amendment, Rezoning, Planned Unit Development, Vesting Tentative Tract Map 8042, Preliminary Grading Plan, and Private Street (PLN2010-00198), as shown in Exhibits "B", "C", "D", "E", "F", and "G" respectively, are in conformance with the relevant provisions contained in the City's General Plan. These provisions include the designations, goals, and policies set forth in the General Plan's Land Use Chapter, as contained within the staff report.
4. Found that the proposed subdivision (Vesting Tentative Tract Map 8042), as shown in Exhibit "E" is consistent with the designations, goals, and policies of the City of Fremont's General Plan, and that none of those findings requiring denial of vesting Tentative Tract Map 8042 can be made in this instance as set forth in Exhibit "H".
5. Adopted Resolution No. 2010-59 amending a 3.7 acre portion of the 5.5-acre site from Private Open Space to Low Density Residential, 3 to 5 dwelling units per acre as shown in Exhibit "B" (General Plan Amendment Map).
6. Waived full reading and introduced an ordinance amending the city's zoning maps by rezoning a 3.7 acre portion of the 5.5-acre site from O-S, Open Space, to R-1-6 (H-I), Single-family Residence District (Hillside Combining District) as shown in Rezoning Exhibit "C" (zoning map section).
7. Directed staff to prepare and the City Clerk publish a summary of the ordinance.
8. Approved the minor Modification to the Subdivision in accordance with Section 8-1800 to permit two irregularly shaped lots (Lots B and C) that are devoted as common open space lots maintained and owned by the future homeowner's association.
9. Approved the Planned Unit Development, Vesting Tentative Tract Map 8042, Preliminary Grading Plan, and Private Street as shown in Exhibits "D", "E", "F", and "G", respectively, subject to findings and conditions in Exhibit "H".
10. Approved the removal of Eucalyptus trees as shown in Exhibit "E" for the reasons stated in the staff report.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan

Noes: None

Absent: None

Abstain: None

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

7.1 Mayor Wasserman opened consideration of Key Components of the Framework Plan: Proposed Concept for Improvements to Fremont Boulevard, Urban Design Guidelines and an Approach to Public Parking Policy

(This item was taken out of order and conducted prior to Item 5.1)

On a motion by Vice Mayor Wieckowski, seconded by Councilmember Chan, the City Council:

1. Authorized staff to research shared parking solutions southwest of Fremont Boulevard in the vicinity of Fremont Boulevard, Peralta, Maple Street and Church Avenue, and, to begin discussions with relevant property owners on the creation of a parking district, and to return with detailed information on the feasibility of shared parking.
2. Granted conceptual approval of proposed urban design guidelines. Authorized staff to incorporate the document in the upcoming General Plan update. Authorized staff to reproduce and distribute the urban design guideline document as a communication tool to make clear City desires regarding urban design of development in Centerville.

Ayes: Mayor Wasserman, Vice Mayor Wieckowski,
Councilmembers: Natarajan, Harrison and Chan
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

- 8.1.1 COUNCILMEMBER CHAN REFERRAL: Request the City Council to Direct Staff to Return with a Resolution to Make the City of Fremont a Let's Move! City
- 8.1.2 COUNCILMEMBER CHAN REFERRAL: Request the City Council to Direct Staff to Return with a Healthy Eating Active Living (HEAL) Cities Campaign Resolution for Council Consideration

Councilmember Chan provided an overview of her referrals. By consensus, staff was directed to return with resolutions supporting the Let's Move! Campaign and supporting the Healthy Eating Active Living (HEAL) Cities Campaign.

8.2 Oral Reports on Meetings and Events – None.

9. **ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 9:10 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor

*Consent Items